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& stock are food & raiment here. . . . The credit & fate of the nation," etc. (II, 85).

From Boston Jonathan Mason wrote Otis that "war for a time we must have and our fears . . . are that . . . you [Congress] will rise without a proper *climax*. . . . We pray" (II, 342).

Not only is this sort of thing very annoying to read, but it gives an impression of immaturity and cramming that does injustice to the book. For Senator Beveridge has acquired a firm grasp of America in her awkward age; he understands the underlying forces of the federalist era; he has an admirable sense of proportion. The narrative is full of life and movement; the characterizations are invariably felicitous — (Fisher Ames, "the bilious but keen-eyed watchman on the ramparts of New England Federalism") — and almost invariably just. Jefferson has received more fair and intelligent treatment than from any previous federalist biographer, although Marshall was Jefferson's enemy in a sense more complete than even Hamilton.

Members of the legal profession will value this book most of all for its convincing and lifelike description of the simple and thoroughly human person who became chief justice in 1801; and law students may note this analysis of Marshall by a contemporary: "His mind is not very richly stored with knowledge, but it is so creative, so well organized by nature, or disciplined by early education, and constant habits of systematic thinking, that he embraces every subject with the clearness and facility of one prepared by previous study to comprehend and explain it" (II, 178).

S. S. MORRISON.

MENTAL CONFLICTS AND MISCONDUCT. By William Healy, Director Psychopathic Institute, Juvenile Court, Chicago. Little, Brown and Company. 1917.

This book presents a detailed record of cases of juvenile delinquency and aims to throw light upon one type of causation of misconduct, namely, "uncontrolled anti-social motivation or impulse." The author finds revealed in these cases "potent subconscious mechanisms," and "types of hidden early experience which definitely evoke these mental processes that are the forerunners of misconduct." Further than this, he urges that mere pious admonition and punishment as effectual preventives should be discarded in favor of "inducing in the offender self-directed tendencies toward more desirable behavior."

The method of investigation was simply a "sympathetic and patient approach" to the source of the mental conflict, — a modified form of psychoanalysis as practiced on adults. In children the original experience is less remote, fresher in their minds, and less confused with a myriad of later impulses, as well as less disguised than in older persons; and the youthful misdoer is both more aware of his subconscious stimulations to misconduct and more ready to delve into his mind for the causes of his errors than is the adult. It is incumbent on the sympathetic and wise analyzer neither to be shocked by the revelations of the patient, nor to insist on getting information "when strong barriers to further progress are raised." He should not lay stress on the delinquency as such, nor evoke a feeling of shame, — two faults which Dr. Healy finds not infrequently in parents and preachers. The best results come from getting the offender to analyze himself, and to dig up the earliest knowledge of his offense with the fewest promptings possible. By all means one should never regard youthful delinquency as *ipso facto* producing more harm than might later eventuate, if an abnormal psyche were developed out of chronic repressions. While following Freud in general, the author found no value in evoking the Freudian sex-symbolism, nor in analyzing any dreams.

The mental characteristics of the delinquent show up a curious error on the part of many common judgments about him. The standard mental tests

exhibited (1) no specially neurotic type, (2) no necessary hereditary influences bearing him toward crime, (3) no special "rough" as a temperamental type of offender, (4) no special assertiveness or ego-centricism in delinquents, and (5) in general ability, in psychomotor control, in control of association processes, as well as in the powers of apperception and memory, there were no indications of anything not normal. In the individual cases presented in this book, plainly the evidence points to a suppressed idea or complex as the chief cause of the disorder, and this suppression appears to be completely dis severed from what the delinquent knows or feels he ought to do.

Especially do we note the "dynamic quality of hidden mental reactions." There is often a "distinct inner urge toward misdoing," an "untoward drive" dis severed from reason or prudence. The "determining factor of action arises and recurs with a show of strength out of all proportion to any readily perceivable source of motive power." Often delinquents feel their actions to be "forced, as it were, by something in themselves, but not of themselves." Such actions do not need in any way to feel pleasurable. Superficial observations are often thoroughly misleading in regard to the antecedents of such action, on account of the deeply repressed, but "highly emotional import of the original experience." The delinquency, however personal its causes may be, can always be accentuated by (1) memory and habit, (2) being confronted with the already achieved reputation, (3) old associations in delinquency, (4) companions known while under detention, (5) police surveillance, and (6) an unfavorable family attitude.

Considering delinquency as an effect, Dr. Healy urges the application of common sense and scientific principles to the cause. Personal, sympathetic coöperation with the patient, with a view to "sublimating" the suppressed complex appears to be reputable as a "first aid." Better than cure, however, is complete prevention, the accomplishment of which requires (1) sex education, (2) close confidence between parents and children, (3) elimination of lying and misrepresentation to the young, (4) the re-education of both parent and child, (5) the altering of the connotation of words and pictures that have stimulated to the "overt act," and (6) being removed from previous environmental conditions.

No permanent cure can be "taken out of a bottle"; the problem here presented is a large slice of the problem of evil, and it is discussed in these pages in a very tangible manner. The book claims to present more cases of the kind than have ever appeared together before, and this is, perhaps, its chief merit, for it adds very little to the methodology of the subject.

ROBERT CHENAULT GIVLER.

MANUEL DE DROIT CONSTITUTIONNEL. By Leon Duguit. Paris: Boccard.

That a third edition of M. Duguit's admirable manual should be called for within ten years of its original publication is sufficient testimony to its merit. It is, indeed, a remarkable effort from whatever point of view it is regarded. Not only does it afford an admirably clear view of the main features of French constitutional law, but it contains also a succinct outline of M. Duguit's own theory of the state not less solidly based on a sober study of the facts than his larger works. It is a volume that is in its way unique; for Esmein's brilliant essay is to be compared rather to M. Duguit's great treatise than to this textbook. It has been brought up to date by the incorporation of comment on the most recent French changes; and, as in earlier volumes, account is taken of the drift of opinion and statute in foreign countries.

The account of parliamentary government in France during the war is particularly good. It is, indeed, to be doubted whether M. Duguit has exactly seized the nature of constitutional change in England. The very remarkable changes for which Mr. Lloyd George has stood sponsor, however admirably